



United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>SCHEDULING SYNCHRONIZATION OF PROGRAMS RUNNING AS STREAMS ON MULTIPLE PROCESSORS.</u>

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Filing Date: August 18, 2003

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| Anglin, J. Michael | Reg. No. 24,916 | Greaves, John N. | Reg. No. 40,362 | Nielsen, Walter W. | Reg. No. 25,539 |
|---------------------|-----------------|-------------------------------|-----------------|-----------------------|-----------------|
| Arora, Suneel | Reg. No. 42,267 | Harris, Robert J. | Reg. No. 37,346 | Padys, Danny J. | Reg. No. 35,635 |
| Beekman, Marvin L. | Reg. No. 38,377 | Jackson Huebsch, Katharine A. | Reg. No. 47,670 | Parker, J. K. | Reg. No. 33,024 |
| Bianchi, Timothy E. | Reg. No. 39,610 | Jurkovich, Patti J. | Reg. No. 44,813 | Peacock, Gregg A. | Reg. No. 45,001 |
| Billion, Richard E. | Reg. No. 32,836 | Kalis, Janal M. | Reg. No. 37,650 | Perdok, Monique M. | Reg. No. 42,989 |
| Black, David W. | Reg. No. 42,331 | Klima-Silberg, Catherine I. | Reg. No. 40,052 | Peret, Andrew R. | Reg. No. 41,246 |
| Brennan, Thomas F. | Reg. No. 35,075 | Kluth, Daniel J. | Reg. No. 32,146 | Peterson, David C. | Reg. No. 47,857 |
| Chadwick, Robin A. | Reg. No. 36,477 | Lacy, Rodney L. | Reg. No. 41,136 | Price, Lucinda G. | Reg. No. 42,270 |
| Clark, Barbara J. | Reg. No. 38,107 | Lundberg, Steven W. | Reg. No. 30,568 | Prout, William F. | Reg. No. 33,995 |
| Clise, Timothy B. | Reg. No. 40,957 | Maki, Peter C. | Reg. No. 42,832 | Schumm, Sherry W. | Reg. No. 39,422 |
| Cochran, David R. | Reg. No. 46,632 | Malen, Peter L. | Reg. No. 44,894 | Schwegman, Micheal L. | Reg. No. 25,816 |
| Dahl, John M. | Reg. No. 44,639 | Mates, Robert E. | Reg. No. 35,271 | Speier, Gary J. | Reg. No. 45,458 |
| DeLizio, Andrew | Reg. No. 52,806 | McCrackin, Ann M. | Reg. No. 42,858 | Steffey, Charles E. | Reg. No. 25,179 |
| Drake, Eduardo E. | Reg. No. 40,594 | Mehrle, Joseph P. | Reg. No. 45,535 | Tong, Viet V. | Reg. No. 45,416 |
| Embretson, Janet E. | Reg. No. 39,665 | Muller, Mark V. | Reg. No. 37,509 | Viksnins, Ann S. | Reg. No. 37,748 |
| Forrest, Bradley A. | Reg. No. 30,837 | Nama, Prakash | Reg. No. 44,255 | Woessner, Warren D. | Reg. No. 30,440 |
| Gorrie, Gregory J. | Reg. No. 36,530 | Nelson, A. James | Reg. No. 28,650 | | |

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of joint inventor number Citizenship: | er 1: <u>Kitrick Sheets</u> United States of America | Residence: Morri | sville, NC |
|---|---|------------------|------------|
| Post Office Address: | 107 Monument View Lane | | |
| Signature: Kitrick | Morrisville, NC 27560 Sheets | Date: | 1/8/04 |

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

| | umber 2: Josh Williams | |
|--------------------------------------|---|----------------------------|
| Citizenship: | United States of America | Residence: Minneapolis, MN |
| Post Office Address: | 1101 W. 28th St. #303 | |
| | Minneapolis, MN 55408 | , |
| Signature: | | |
| In | sh Williams | Date. |
| 30 | Sir VV IIIIairis | |
| | | |
| | | |
| | | • |
| Full Name of joint inventor n | | |
| Citizenship: Post Office Address: | United States of America | Residence: Lakesville, MN |
| Post Office Address: | 17099 Gelncoe Avenue Lakesville, MN 55044-7402 | |
| | Lakesville, Win 33044-7402 | |
| Signature: | | Date: |
| Jo | n Gettler | |
| | | |
| | | |
| | | |
| Full Name of joint inventor n | umbor 4 . Stave Pietz | |
| Citizenship: | umber 4: Steve Piatz United States of America | Residence: Eagan, MN |
| Post Office Address: | 3631 Woodland Trail | Residence. Eagan, 1911 |
| | Eagan, MN 55123-2400 | |
| | A | - 0 -004 |
| Signature: | | Date: Jan 8, 2004 |
| Ste | eve Piatz | • |
| | | |
| | | |
| | | |
| Full Name of joint inventor n | umber 5: Andrew B. Hastings | |
| Citizenship: | United States of America | Residence: Eagan, MN |
| Post Office Address: | 1595 Blackhawk Hills Road | |
| | Eagan, MN 55122 | |
| a: Cuda | en B. Hastmas | - T. G. A. T. |
| Signature: | D. Harring | Date: Jan 8, 2004 |
| Ai | ndrew B. Hastings | , |
| | | |
| | | |
| | | |
| Full Name of joint inventor n | | |
| Citizenship: | United States of America | Residence: St. Paul, MN |
| Post Office Address: | 1805 Pinehurst Avenue | |
| | St. Paul, MN 55116 | |
| Signature: | | Data |
| De De | ter Hill | Date: |
| 10 | | |
| | | |
| | | |

| Full Name of joint inventor | number 7: James G. Bravatto | | |
|-----------------------------|-------------------------------|------------------------------------|---|
| Citizenship: | United States of America | Residence: Inver Grove Heights, MN | |
| Post Office Address: | 8705 Baxter Way | | |
| | Inver Grove Heights, MN 55076 | · | |
| 1 | .1 2 -11 | 1 . 1 | |
| Signature: Auw | s L. Brwath | Date: 1/20/2004 | |
| | James G. Bravatto | | |
| | | | |
| | | | |
| | | | |
| | | • | |
| Full Name of joint inventor | number 8: James R. Kohn | | |
| Citizenship: | United States of America | Residence: Inver Grove Heights, MN | |
| Post Office Address: | 10165 Adam Avenue | | |
| | Inver Grove Heights, MN 55077 | | |
| | | . /. / | |
| Signature: | X Rohn | Date: 1/8/2004 | |
| | James R. Kohn | | |
| | , will be 14. 14.01. | | |
| • | | | |
| | | | |
| | | | |
| Full Name of joint inventor | number 9: Greg Titus | | |
| Citizenship: | United States of America | Residence: Santa Fe, nm | |
| Post Office Address | 1600 Caminito Monica | Residence. Santa Pe, IIII | |
| 1 ost Office Address | Santa Fe, nm 87501 | | |
| K | Santa ve, nitro / 301 | . 1-1 | |
| Signatura Maga | 1) I dhu | Date: 1/8/2004 | |
| Signature: | Titus | Date: 1. C. C. | - |
| / / | Greg Titus | | |
| | | | |
| | | | |

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>SCHEDULING SYNCHRONIZATION OF PROGRAMS</u>
<u>RUNNING AS STREAMS ON MULTIPLE PROCESSORS.</u>

The specification of which was filed on August 18, 2003 as application serial no. 10/643,769.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Attorney Docket No.: 1376.718US1 Serial No. 10/643769

Filing Date: August 18, 2003

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| Anglin, J. Michael Arora, Suneel Beekman, Marvin L. Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Thomas F. Chadwick, Robin A. Clark, Barbara J. Clisc, Timothy B. Cochran, David R. Dahl, John M. DeLizio, Andrew Drake, Eduardo E. Embretson, Janet E. Forrest, Bradley A. | Reg. No. 24,916 Reg. No. 42,267 Reg. No. 38,377 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 35,075 Reg. No. 36,477 Reg. No. 38,107 Reg. No. 40,957 Reg. No. 46,632 Reg. No. 44,639 Reg. No. 52,806 Reg. No. 40,594 Reg. No. 39,665 Reg. No. 30,837 | Greaves, John N. Harris, Robert J. Jackson Huebsch, Katharine A. Jurkovich, Patti J. Kalis, Janal M. Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Mates, Robert E. McCrackin, Ann M. Mehrle, Joseph P. Muller, Mark V. Nama, Prakash | Reg. No. 40,362 Reg. No. 37,346 Reg. No. 47,670 Reg. No. 44,813 Reg. No. 37,650 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 30,568 Reg. No. 42,832 Reg. No. 44,894 Reg. No. 35,271 Reg. No. 42,858 Reg. No. 45,535 Reg. No. 37,509 Reg. No. 44,255 | Nielsen, Walter W. Padys, Danny J. Parker, J. K. Peacock, Gregg A. Perdok, Monique M. Peret, Andrew R. Peterson, David C. Price, Lucinda G. Prout, William F. Schumm, Sherry W. Schwegman, Micheal L. Speier, Gary J. Steffey, Charles E. Tong, Viet V. Viksnins, Ann S. Woessner, Warren D. | Reg. No. 25,539 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 45,001 Reg. No. 42,989 Reg. No. 41,246 Reg. No. 47,857 Reg. No. 42,270 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 25,816 Reg. No. 45,458 Reg. No. 25,179 Reg. No. 37,748 Reg. No. 37,748 Reg. No. 30,440 |
|---|---|---|---|--|---|
| Forrest, Bradley A. Gorrie, Gregory J. | Reg. No. 30,837 Reg. No. 36,530 | Nama, Prakash Nelson, A. James | Reg. No. 44,255 Reg. No. 28,650 | Woessner, Warren D. | Reg. 190. 30,440 |

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of joint inventor | number 1: Kitrick Sheets | | |
|-----------------------------|---|----------------------------|--|
| Citizenship: | United States of America | Residence: Morrisville, NC | |
| Post Office Address: | 107 Monument View Lane Morrisville, NC 27560 | | |
| Signature: | | Date: | |
| | Kitrick Sheets | | |
| | · | | |

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Date: _____

Attorney Docket No.: 1376.718US1 Serial No. 10/643769 Filing Date: August 18, 2003 Josh Williams Full Name of joint inventor number 2: Residence: Minneapolis, MN **United States of America** Citizenship: 1101 W. 28th St. #303 Post Office Address: Minneapolis, MN 55408 Date: 01-28-2004 Signature: Full Name of joint inventor number 3: Jon Gettler Residence: Lakesville, MN United States of America Citizenship: Post Office Address: 17099 Gelncoe Avenue Lakesville, MN 55044-7402 Jon Gettler Signature: Full Name of joint inventor number 4: **Steve Piatz** United States of America Residence: Eagan, MN Citizenship: 3631 Woodland Trail Post Office Address: Eagan, MN 55123-2400 Steve Piatz Date: _____ Signature: Full Name of joint inventor number 5: Andrew B. Hastings Residence: Eagan, MN **United States of America** Citizenship: Post Office Address: 1595 Blackhawk Hills Road Eagan, MN 55122 Date: _____ Signature: Andrew B. Hastings Full Name of joint inventor number 6: Peter Hill Residence: St. Paul, MN **United States of America** Citizenship:

> 1805 Pinehurst Avenue St. Paul, MN 55116

Peter Hill

Post Office Address:

Signature:

Attorney Docket No.: 1376.718US1 Serial No. 10/643769

Filing Date: August 18, 2003

| Full Name of joint inventor num Citizenship: Post Office Address: | nber 7: <u>James G. Bravatto</u> United States of America 8705 Baxter Way Inver Grove Heights, MN 55076 | Residence: Inver Grove Heights, MN | |
|---|---|------------------------------------|---|
| Signature:Jame | es G. Bravatto | Date: | _ |
| Full Name of joint inventor nur Citizenship: Post Office Address: | nber 8: <u>James R. Kohn</u> United States of America 10165 Adam Avenue Inver Grove Heights, MN 55077 | Residence: Inver Grove Heights, MN | |
| Cianotura | | Date: | _ |
| Jam | es R. Kohn | | |
| Full Name of joint inventor nu Citizenship: Post Office Address: | United States of America 1600 Caminito Monica | Residence: Santa Fe, nm | |
| Signature:Gre | Santa Fe, nm 87501 eg Titus | . Date: | |
| 010 | | | |

Attorney Docket No.: 1376.718US1 Serial No. 10/643769

Filing Date: August 18, 2003

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\frac{8}{2}\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>SCHEDULING SYNCHRONIZATION OF PROGRAMS</u>
RUNNING AS STREAMS ON MULTIPLE PROCESSORS.

The specification of which was filed on August 18, 2003 as application serial no. 10/643,769.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Serial No. 10/643769 Filing Date: August 18, 2003

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| Anglin, J. Michael | Reg. No. 24,916 | Greaves, John N. | Reg. No. 40,362 | Nielsen, Walter W. | Reg. No. 25,539 |
|---------------------|-----------------|-------------------------------|-----------------|-----------------------|-----------------|
| Arora, Suneel | Reg. No. 42,267 | Harris, Robert J. | Reg. No. 37,346 | Padys, Danny J. | Reg. No. 35,635 |
| Beekman, Marvin L. | Reg. No. 38,377 | Jackson Huebsch, Katharine A. | Reg. No. 47,670 | Parker, J. K. | Reg. No. 33,024 |
| Bianchi, Timothy E. | Reg. No. 39,610 | Jurkovich, Patti J. | Reg. No. 44,813 | Peacock, Gregg A. | Reg. No. 45,001 |
| Billion, Richard E. | Reg. No. 32,836 | Kalis, Janal M. | Reg. No. 37,650 | Perdok, Monique M. | Reg. No. 42,989 |
| Black, David W. | Reg. No. 42,331 | Klima-Silberg, Catherine I. | Reg. No. 40,052 | Peret, Andrew R. | Reg. No. 41,246 |
| Brennan, Thomas F. | Reg. No. 35,075 | Kluth, Daniel J. | Reg. No. 32,146 | Peterson, David C. | Reg. No. 47,857 |
| Chadwick, Robin A. | Reg. No. 36,477 | Lacy, Rodney L. | Reg. No. 41,136 | Price, Lucinda G. | Reg. No. 42,270 |
| Clark, Barbara J. | Reg. No. 38,107 | Lundberg, Steven W. | Reg. No. 30,568 | Prout, William F. | Reg. No. 33,995 |
| Clise, Timothy B. | Reg. No. 40,957 | Maki, Peter C. | Reg. No. 42,832 | Schumm, Sherry W. | Reg. No. 39,422 |
| Cochran, David R. | Reg. No. 46,632 | Malen, Peter L. | Reg. No. 44,894 | Schwegman, Micheal L. | Reg. No. 25,816 |
| Dahl, John M. | Reg. No. 44,639 | Mates, Robert E. | Reg. No. 35,271 | Speier, Gary J. | Reg. No. 45,458 |
| DeLizio, Andrew | Reg. No. 52,806 | McCrackin, Ann M. | Reg. No. 42,858 | Steffey, Charles E. | Reg. No. 25,179 |
| Drake, Eduardo E. | Reg. No. 40,594 | Mehrle, Joseph P. | Reg. No. 45,535 | Tong, Viet V. | Reg. No. 45,416 |
| Embretson, Janet E. | Reg. No. 39,665 | Muller, Mark V. | Reg. No. 37,509 | Viksnins, Ann S. | Reg. No. 37,748 |
| Forrest, Bradley A. | Reg. No. 30,837 | Nama, Prakash | Reg. No. 44,255 | Woessner, Warren D. | Reg. No. 30,440 |
| Gorrie, Gregory J. | Reg. No. 36,530 | Nelson, A. James | Reg. No. 28,650 | | |

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of joint inventor | number 1: Kitrick Sheets | • | |
|-----------------------------|--------------------------|----------------------------|--|
| Citizenship: | United States of America | Residence: Morrisville, NC | |
| Post Office Address: | 107 Monument View Lane | | |
| | Morrisville, NC 27560 | | |
| Signature: | | Date: | |
|] | Kitrick Sheets | | |
| _ | | | |
| _ | | | |

X Additional inventors are being named on separately numbered sheets, attached hereto.

| Full Name of joint inventor r Citizenship: Post Office Address: | United States of America Residence: Minneapolis, MN | | |
|---|--|---------------------------|---|
| Signature: | osh Williams | Date: | |
| Jo | sh Williams | | |
| Full Name of joint inventor n Citizenship: Post Office Address: | Josephson Josephson | Residence: Lakesville, MN | - |
| Signature: Jo | on Gettler | Date: 1/9/04 | |
| Full Name of joint inventor n Citizenship: Post Office Address: | umber 4: <u>Steve Piatz</u> United States of America 3631 Woodland Trail Eagan, MN 55123-2400 | Residence: Eagan, MN | - |
| Signature: | | Date: | |
| St | eve Piatz | | _ |
| Full Name of joint inventor n Citizenship: Post Office Address: | umber 5: Andrew B. Hastings United States of America 1595 Blackhawk Hills Road Eagan, MN 55122 | Residence: Eagan, MN | |
| Signature: | | Date: | |
| Aı | ndrew B. Hastings | · | |
| Full Name of joint inventor n Citizenship: Post Office Address: | umber 6: <u>Peter Hill</u> United States of America 1805 Pinehurst Avenue | Residence: St. Paul, MN | - |
| | St. Paul, MN 55116 | | |
| Signature: | eter Hill | Date: | |
| re | aci iiii | | |

| | number 7: <u>James G. Bravatto</u> | |
|--------------------------------------|------------------------------------|-------------------------------------|
| Citizenship: | United States of America | Residence: Inver Grove Heights, MN |
| Post Office Address: | • | |
| | Inver Grove Heights, MN 55076 | |
| Signature: | | Date: |
| • | James G. Bravatto | |
| | | · · |
| | | |
| | | |
| | number 8: James R. Kohn | Decidence Invest Cooper Heights MOV |
| Citizenship: Post Office Address: | United States of America | Residence: Inver Grove Heights, MN |
| rosi Office Address. | | |
| | Inver Grove Heights, MN 55077 | |
| Signature: | | Date: |
| | James R. Kohn | |
| | | |
| | | |
| Full Name of joint inventor | number 9: Greg Titus | |
| Citizenship: | United States of America | Residence: Santa Fe, nm |
| Post Office Address: | | Residence. Santa Pe, inii |
| | Santa Fe, nm 87501 | |
| | • | · · |
| | | 5 . |
| | Greg Titus | Date: |

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>SCHEDULING SYNCHRONIZATION OF PROGRAMS</u>
RUNNING AS STREAMS ON MULTIPLE PROCESSORS.

The specification of which was filed on August 18, 2003 as application serial no. 10/643,769.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| Anglin, J. Michael | Reg. No. 24,916 | Greaves, John N. | Reg. No. 40,362 | Nielsen, Walter W. | Reg. No. 25,539 |
|---------------------|-----------------|-------------------------------|-----------------|-----------------------|-----------------|
| Arora, Suneel | Reg. No. 42,267 | Harris, Robert J. | Reg. No. 37,346 | Padys, Danny J. | Reg. No. 35,635 |
| Beekman, Marvin L. | Reg. No. 38,377 | Jackson Huebsch, Katharine A. | Reg. No. 47,670 | Parker, J. K. | Reg. No. 33,024 |
| Bianchi, Timothy E. | Reg. No. 39,610 | Jurkovich, Patti J. | Reg. No. 44,813 | Peacock, Gregg A. | Reg. No. 45,001 |
| Billion, Richard E. | Reg. No. 32,836 | Kalis, Janal M. | Reg. No. 37,650 | Perdok, Monique M. | Reg. No. 42,989 |
| Black, David W. | Reg. No. 42,331 | Klima-Silberg, Catherine I. | Reg. No. 40,052 | Peret, Andrew R. | Reg. No. 41,246 |
| Brennan, Thomas F. | Reg. No. 35,075 | Kluth, Daniel J. | Reg. No. 32,146 | Peterson, David C. | Reg. No. 47,857 |
| Chadwick, Robin A. | Reg. No. 36,477 | Lacy, Rodney L. | Reg. No. 41,136 | Price, Lucinda G. | Reg. No. 42,270 |
| Clark, Barbara J. | Reg. No. 38,107 | Lundberg, Steven W. | Reg. No. 30,568 | Prout, William F. | Reg. No. 33,995 |
| Clise, Timothy B. | Reg. No. 40,957 | Maki, Peter C. | Reg. No. 42,832 | Schumm, Sherry W. | Reg. No. 39,422 |
| Cochran, David R. | Reg. No. 46,632 | Malen, Peter L. | Reg. No. 44,894 | Schwegman, Micheal L. | Reg. No. 25,816 |
| Dahl, John M. | Reg. No. 44,639 | Mates, Robert E. | Reg. No. 35,271 | Speier, Gary J. | Reg. No. 45,458 |
| DeLizio, Andrew | Reg. No. 52,806 | McCrackin, Ann M. | Reg. No. 42,858 | Steffey, Charles E. | Reg. No. 25,179 |
| Drake, Eduardo E. | Reg. No. 40,594 | Mehrle, Joseph P. | Reg. No. 45,535 | Tong, Viet V. | Reg. No. 45,416 |
| Embretson, Janet E. | Reg. No. 39,665 | Muller, Mark V. | Reg. No. 37,509 | Viksnins, Ann S. | Reg. No. 37,748 |
| Forrest, Bradley A. | Reg. No. 30,837 | Nama, Prakash | Reg. No. 44,255 | Woessner, Warren D. | Reg. No. 30,440 |
| Gorrie, Gregory J. | Reg. No. 36,530 | Nelson, A. James | Reg. No. 28,650 | | • |

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone No. (612)373-6900

| Full Name of joint inventor | number 1: Kitrick Sheets | | |
|--------------------------------------|---|----------------------------|--|
| Citizenship: Post Office Address: | United States of America 107 Monument View Lane Morrisville, NC 27560 | Residence: Morrisville, NC | |
| Signature: | | Date: | |
| 1 | Kitrick Sheets | | |
| . - | | | |
| | | | |

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

| Full Name of joint inventor numb Citizenship: Post Office Address: | United States of America 1101 W. 28th St. #303 Minneapolis, MN 55408 | Residence: Minneapolis, MN | |
|---|---|---|--------|
| Signature: Josh V | Villiams | Date: | |
| _ | | | - |
| Full Name of joint inventor numb Citizenship: Post Office Address: | United States of America 17099 Gelncoe Avenue Lakesville, MN 55044-7402 | Residence: Lakesville, MN | |
| Signature: | ettler | Date: | |
| Full Name of joint inventor numb | per 4: <u>Steve Piatz</u> | | |
| Citizenship: Post Office Address: | United States of America 3631 Woodland Trail Eagan, MN 55123-2400 | Residence: Eagan, MN | |
| Signature: | Diatz | Date: | |
| Steve | Piatz | | - |
| Full Name of joint inventor numb Citizenship: Post Office Address: | er 5: Andrew B. Hastings United States of America 1595 Blackhawk Hills Road Eagan, MN 55122 | Residence: Eagan, MN | |
| Signature: | D.W. | Date: | |
| Andre | w B. Hastings | | • |
| Full Name of joint inventor numb Citizenship: Post Office Address: Signature: Peter F | United States of America 1805 Pinchurst Avenue 4664 | Residence: St. Paul, MN Bloomingtone Oaks Grele Mytha, MN 55437 Date: 27 January 2 | 51, MN |
| _ | | | |

| Citizenship: Post Office Address: | United States of America 8705 Baxter Way Inver Grove Heights, MN 55076 | Residence: Inver Grove Heights, MN |
|---|---|------------------------------------|
| Signature: | | Date: |
| | James G. Bravatto | |
| Full Name of joint inventor Citizenship: Post Office Address: | number 8: <u>James R. Kohn</u> United States of America 10165 Adam Avenue Inver Grove Heights, MN 55077 | Residence: Inver Grove Heights, MN |
| Signature: | | Date: |
| • | James R. Kohn | |
| | number 9: Greg Titus | Decidence Conta En una |
| Citizenship: Post Office Address: | United States of America 1600 Caminito Monica Santa Fe, nm 87501 | Residence: Santa Fe, nm |
| Signature: | Greg Titus | Date: |
| | | |

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.